

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMES M. BURKE, et al.,	:	Civil Action No.: 07-9909 (HB)
	:	
Plaintiffs,	:	
	:	
-against-	:	<u>NOTICE OF MOTION</u>
	:	
HESTIA HOLDINGS, LLC, et al.,	:	
	:	
Defendants.	:	
	:	
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	:	
HESTIA HOLDINGS, LLC, et al.,	:	
	:	
Counterclaimants,	:	
	:	
-against-	:	
	:	
JAMES BURKE, et al.,	:	
	:	
Counterclaim Defendants.	:	
	:	
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PLEASE TAKE NOTICE that upon the Declaration of Robert M. Travisano, Esq. and Memorandum of Law submitted herewith, plaintiffs James Burke and Bradley L. Grow, in their capacity as Sellers' Representatives, by and through their undersigned counsel, shall move before the Honorable Harold Baer, Jr., U.S.D.J., at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and time to be set by the Court, for an Order pursuant to Federal Rules of Civil Procedure 15(a) and 20(a) granting Plaintiffs leave to amend their complaint to add Cordova, Smart & Williams, LLC as a new party to this matter.

PLEASE TAKE FURTHER NOTICE that opposing affidavits and memoranda of law, if any, shall be served and filed on or before June 12, 2008.

PLEASE TAKE FURTHER NOTICE that reply affidavits and memoranda of law, if any, shall be served and filed on or before June 19, 2008.

Dated: New York, New York
May 29, 2008

ENTWISTLE & CAPPUCCI LLP

By: s/ William S. Gyves
William S. Gyves
Robert M. Travisano
280 Park Avenue, 26th Floor West
New York, New York 10017
Telephone: (212) 894-7200
Facsimile: (212) 894-7272
wgyves@entwistle-law.com
rtravisano@entwistle-law.com

Michael R. Perri
Robert J. Campbell
Wendy P. Higgins
PHILLIPS MCFALL MCCAFFREY
MCVAY & MURRAH, P. C.
Corporate Tower, 13th Floor
101 N. Robinson
Oklahoma City, Oklahoma 73102
Telephone: (405) 235-4100
Facsimile: (405) 235-4133
mrperri@phillipsmcfall.com
rjcampbell@phillipsmcfall.com
wphiggins@phillipsmcfall.com

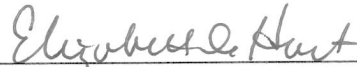
(Admitted Pro Hac Vice)

Attorneys for Plaintiffs and
Counterclaim Defendants

CERTIFICATE OF SERVICE

I, Elizabeth DeHart, hereby certify that on May 29, 2008, I caused a copy of the attached Notice of Motion, Declaration of Robert M. Travisano, Esq. and Memorandum of Law in Support of Motion for Leave to File an Amended Complaint to be served via ECF upon counsel for Defendants/Counterclaimants as follows:

Thomas E. L. Dewey, Esq.
Keara A. Bergin, Esq.
Dewey Pegno & Kramarsky LLP
The News Building
220 East 42nd Street
New York, New York 10017
tdewey@dpklaw.com
kbergin@dpklaw.com



ELIZABETH DEHART